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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/761,231 | 01/22/2004 | Hisaki Miyamoto | P24492 | 2037 |
| 7055 | 7590 | 10/18/2006 | EXAMINER | |
| GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191 | | | SCHATZ, CHRISTOPHER | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1733 | |
| DATE MAILED: 10/18/2006 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/761,231

Applicant(s)

MIYAMOTO ET AL.

Examiner

Christopher T. Schatz

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/147,140.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>4/22/04, 7/7/05</u> . | 6) <input checked="" type="checkbox"/> Other: <u>IDS: 10/3/05</u> . |

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Group II in the reply filed on August 8, 2006 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Examiner further acknowledges applicant's remarks regarding claim 11. Applicant is respectfully notified that the claim as currently written still recites an apparatus. However, applicant's remarks regarding the claim clearly indicate that applicant intends the claim to be directed toward a method, and for the purposes of this office action the claim will be treated as such. Claims 1-6 are withdrawn from consideration as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 7, 8, and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Yatake '060.

Yatake discloses a laminated optical disc manufacturing method comprising: applying an

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adhesive 7, 25 to a first substrate (column 3, lines 47-50); superimposing a second substrate onto the first substrate to form an adhesive layer having a specific thickness between the first and second substrates (column 3, lines 54-58); and provisionally bonding the adhesive layer by partially curing the adhesive layer to partially bond and provisionally fasten the first substrate and the second substrate (column 3, lines 57-61, column 11, lines 21-29, abstract).

As to claim 8, Yatake discloses a method wherein provisional bonding includes curing the adhesive layer in spots 21, 22 about an inside circumference of the first and second substrates (column 11, lines 21-29). Applicant should note that areas 21, 22 that are cured by UV light read on the term “spots” because examiner interprets the term “spot” to mean “a particular place, area, or part” as defined by Merriam-Webster’s Online Dictionary (see attached). Figure 2(a) shows that these spots are about the inner circumference of hole 23. As to claim 10, Yatake discloses a method further comprising curing the adhesive layer in proximity to the center hole formed in the superimposed first and second substrates (column 11, lines 21-29). As to claim 11, Yatake discloses a method further comprising: completely curing the partly cured adhesive layer and completely bonding the first and second substrates (abstract, column 11, lines 25-29). As to claim 12, Yatake discloses a method further comprising provisionally bonding a partially bonded portion of the first and second substrates and preventing deformation and warping of the provisionally bonded first and second substrates (abstract 15-19, column 18, lines 4-7). Yatake prevents the warping and deformation of substrates by preventing the substrates from being strained during bonding.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yatake as applied to claim 7 above, and further in view of Akagawa et al. '651.

Yatake discloses a method as stated above, but the reference is silent as to a centerer comprising at least two retractable pins. Akagawa et al. is directed to method of manufacturing a disk and discloses a centerer within a common center hole of the disk 60 and retractable pins 42 which extend in radial directions to press against an inside circumferential edge of the center hole of the disk (figure 4). A centerer with retractable pins is advantageous because the pins can move the disk from one manufacturing station to another (column 2, lines 7-26). Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the method disclosed by Yatake by adding a centerer with retractable pins that press against the inner circumference of Yatake's substrate as taught by Akagawa. Such a modification will allow the bonded substrates of Yatake to be moved between manufacturing stations.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher T. Schatz whose telephone number is 571-272-1456. The examiner can normally be reached on 8:00-5:30, Monday -Friday.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Christopher T. Schatz



RICHARD CRISPINO
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